



WAKE COUNTY
PUBLIC SCHOOL SYSTEM

TECHNOLOGY SERVICES

Accepted / Filed

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June 7, 2012

Federal Communications Commission
Office of the Secretary

Mr. Mark Nadel
Federal Communications Commission
202-418-7385
mnadel@fcc.gov

CC Docket 02-6

DOCKET FILE COPY ORIGINAL

RE: Petition for Reconsideration of FCC Decision against Wake County Public School System noted in CC Docket No. 02-6

Last week I was made aware of the release of the FCC Order (DA 12-797, File No. SLD-549404, CC Docket No. 02-6) which denies our appeal related to the recovery amount of \$9,049.00. This is the amount received against telephone services during Funding Year 2004 for Project Enlightenment, a pre-K site within our school district. In reading through the Order, I believe there is some misunderstanding or misinterpretation as to what we were actually appealing. Therefore I will attempt to clarify our stance in the paragraphs below and ask that the FCC review the case and reconsider its decision.

We fully understand Project Enlightenment should have been classified as an ineligible entity and the amount for telephone services at that site should have originally been cost allocated out of the reimbursement request against FRN 1136056. Our stance on this fact was duly noted in our response to the findings of the KPMG audit conducted in 2006 under Audit ID SL2006312. However, as done in my previous appeal letter, I quote USAC's Management Response to Comment No. 126877-2005-B-01 of the audit which reads:

"While the beneficiary included an ineligible entity on the FCC Form 471, they had other eligible costs to offset the improper reimbursement. USAC agrees that funds should not have been disbursed to the ineligible entity, **however, recovery is not warranted.**"

This stance was due to the fact that our district had other eligible telephone costs during Funding Year 2004 which totaled more than \$17,401.00 and which were not accounted for in the original request of \$596,955.84 cited in the FCDL for FRN 1136056. A breakdown of actual invoiced amounts is being provided to substantiate that our actual district expenses for telephone services through BellSouth from July 2004 to June 2005 were \$1,286,200.84. At the approved 52% discount level, our eligible discount (after subtracting out the \$17,401.00 against Project Enlightenment, \$1,759.00 against Board member phone lines and any other ineligible charges such as late fees) could have been \$655,282.76. However, as noted on the Form 472 Notification Letter being provided, we only requested and received the FCDL amount of \$596,955.84 against

FRN 1136056. Therefore it was deemed the district could have received additional discounts in the sum of \$58,326.92 against eligible telephone expenses, substantially more than the \$9,049 actually received against Project Enlightenment.

In light of the above, I request that the recovery amount against Project Enlightenment be waived and the Funding Disbursement Recovery Report be adjusted down to \$915.00, the amount cited against the board member phone lines in Comment No. 126877-2005-B-02 of the USAC Management Response and which is not in dispute. If further clarification is required, I can be reached through email at kcooper@wcpss.net or 919-431-7058.

Sincerely,



Keith Cooper
Senior Administrator

Attachments: Breakdown of BellSouth Invoiced Amounts (July 2004 through June 2005)
Form 472 (BEAR Form) Notification Letter: Invoice Number 584540
FCC Docket No. 02-6

cc: Francine Pearce, WCPSS E-Rate Administrator
Tammy Smith, BellSouth Telecommunications, Inc.



Universal Service Administrative Company
Schools & Libraries Division

Form 472 (BEAR Form) Notification Letter

September 09, 2005

Bell South Telecommunications, Inc.
Fay Reed
675 West Peachtree Street Room 17M61 BellSouth Center
Atlanta, GA 30375

Re: Form 472 Invoice Number: 584540
Service Provider Identification Number: 143004824
Applicant Form 472 Identifier: BELLBEARYR2004
Billed Entity Number: 126877

WAKE COUNTY, NORTH CAROLINA PUBLIC SCHOOL SYSTEM
KEITH COOPER
3600 Wake Forest Road
Raleigh, NC 27609

Preferred Mode of Contact: E-mail at kcooper@wcpss.net
Total Amount of Reimbursement Approved for Payment: \$759616.29

This letter is to notify you that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has received and accepted a Form 472 from the above named applicant listing you as the service provider. The SLD has committed to reimburse the discounted portion of the cost of eligible services provided to eligible entities pursuant to one or more Forms 471. As stated in the Form 486 Notification Letter sent to you previously, the applicant has filed a Form 486 advising the SLD that service delivery has begun. The applicant has completed this Form 472 with your assistance, seeking reimbursement of the discounted portion of bills already paid in full to you since the effective date of the discount.

The SLD has processed the Form 472. Pursuant to the Service Provider Acknowledgment page of the Form 472 which you signed, you must remit to the applicant the amount shown as "Total Amount of Reimbursement Approved for Payment" above, no later than 10 calendar days after receipt of payment of the approved discounts from USAC. You also agreed not to tender or make use of the payment of the approved discounts issued by USAC to you prior to remitting the discount to the applicant.

The USAC check should be mailed to the service provider named above within 20 calendar days of the date of this letter.

To reimburse the "Total Amount of Reimbursement Approved for Payment," to the applicant, the service provider may (1) issue a check or (2) issue a credit to the applicant. The decision as to which form the reimbursement should take should be a mutual one between the service provider and the applicant.

The maximum remaining amount available for each Funding Request Number (FRN) listed on the synopsis on the following page(s) will be the original commitment less the amount approved herein for reimbursement and less any earlier disbursements to the applicant.

PLEASE NOTE: Beginning with Funding Year 2000 (07/01/2000 - 06/30/2001), if the first payment request processed for an FRN is on a Form 472, all subsequent payment requests for that FRN must be made on a Form 472; a Form 474 (Service Provider Invoice Form) for that FRN will not be accepted.

EXPLANATION OF INFORMATION PROVIDED IN THIS FORM 472 (BEAR FORM) NOTIFICATION LETTER

To help understand the Form 472 Notification Letter Applicant Reimbursement Synopsis the following definitions are provided.

Funding Request Number (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of a Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

471 Application Number: A unique identifier assigned to a Form 471 by the SLD, from page 1 of the Form 471.

Funding Year: The funding year for which discounts have been approved. Funding years begin on July 1 and end on the following June 30. Funding years are designated by the calendar year in which they begin.

Contract Number: The contract or agreement number as identified in Block 5, Item 15 of the Form 471.

Funding Commitment Decision: This represents the TOTAL amount of funding that the SLD has reserved to reimburse the cost of the discounts for this service for the specified funding year.

Reimbursement Amount for this FRN: This is the amount of reimbursement to the applicant that has been approved for this FRN on this Form 472.

Reimbursement Request Decision Explanation (SHOWN ONLY IF RELEVANT): This is the reason(s) that a Reimbursement Request was reduced or rejected.

Schools and Libraries Division
Universal Service Administrative Company
CC: WAKE COUNTY, NORTH CAROLINA PUBLIC SCHOOL SYSTEM

FORM 472 NOTIFICATION LETTER APPLICANT REIMBURSEMENT SYNOPSIS

Funding Request Number: 1135389
471 Application Number: 398734
Funding Year : 07/01/2004 - 06/30/2005
Contract Number: ISP2002
Funding Commitment Decision: \$8310.00
Reimbursement Amount for this FRN: \$8310.00

Funding Request Number: 1136056
471 Application Number: 398734
Funding Year : 07/01/2004 - 06/30/2005
Contract Number: BellSouth Centrex 2002
Funding Commitment Decision: \$596955.84
Reimbursement Amount for this FRN: \$596955.84

Funding Request Number: 1144028
471 Application Number: 398734
Funding Year : 07/01/2004 - 06/30/2005
Contract Number: NC99-6946-03
Funding Commitment Decision: \$150939.00
Reimbursement Amount for this FRN: \$135961.17

Funding Request Number: 1144191
471 Application Number: 398734
Funding Year : 07/01/2004 - 06/30/2005
Contract Number: NC00-4132-01
Funding Commitment Decision: \$16361.28
Reimbursement Amount for this FRN: \$16361.28

Funding Request Number: 1145925
471 Application Number: 398734
Funding Year : 07/01/2004 - 06/30/2005
Contract Number: 1-1WROJD
Funding Commitment Decision: \$2028.00
Reimbursement Amount for this FRN: \$2028.00

Invoicing Against FRN 1136056
Wake County Public School System Petition for Reconsideration of CC Docket No. 02-6

Supplier	Invoice Date	Invoice Num	Invoice Amount	Eligible Amount
BELLSOUTH	1-Aug-04	919 M19-4273 273/AUG1,2004	\$ 106,440.12	
BELLSOUTH	1-Aug-04	919 M19-4273 273/AUG 1,04	\$ 2,549.44	\$ 108,989.56
BELLSOUTH	1-Sep-04	919 M19-4273 273/090104	\$ 108,525.60	
BELLSOUTH	1-Sep-04	919 M19-4273 273/090104/A	\$ 2,545.36	\$ 111,070.40
BELLSOUTH	1-Oct-04	919 M19-4273 273/100104	\$ 2,809.04	
BELLSOUTH	1-Oct-04	919 M19-4273 273/100104/A	\$ 102,538.36	\$ 105,347.40
BELLSOUTH	1-Nov-04	919 M19-4273 273/NOV 1	\$ 96,476.37	
BELLSOUTH	1-Nov-04	919 M19-4273 273/NOV 1/A	\$ 2,767.30	\$ 99,243.67
BELLSOUTH	1-Dec-04	919 M19-4273 273/DEC 1	\$ 101,384.12	
BELLSOUTH	1-Dec-04	919 M19-4273 273/DEC 04/A	\$ 2,767.30	\$ 103,975.37
BELLSOUTH	1-Jan-05	919 M19-4273 273/JAN1 05	\$ 101,211.74	
BELLSOUTH	1-Jan-05	919 M19-4273 273/JAN01,05/A	\$ 2,773.85	\$ 104,161.65
BELLSOUTH	1-Feb-05	919 M19-4273 273/FEB05/F2	\$ 102,773.71	
BELLSOUTH	1-Feb-05	919 M19-4273 273/FEB05/F5	\$ 2,773.85	\$ 104,486.16
BELLSOUTH	1-Mar-05	919 M19-4273 273/MAR 1 2005	\$ 111,141.11	
BELLSOUTH	1-Mar-05	919 M19-4273-273 MAR 1 2005/A	\$ 2,773.85	\$ 113,914.96
BELLSOUTH	1-Apr-05	919 M19-4273 273/APR 04	\$ 108,437.85	
BELLSOUTH	1-Apr-05	919 M19-4273 273/APR1 /A	\$ 2,773.85	\$ 109,070.69
BELLSOUTH	1-May-05	919 M19-4273 273/050105	\$ 104,713.56	
BELLSOUTH	1-May-05	919 M19-4273 273/050105/A	\$ 2,773.85	\$ 106,580.35
BELLSOUTH	1-Jun-05	919 M19-4273 273/May 05	\$ 104,978.87	
BELLSOUTH	1-Jun-05	919 M19-4273 273/May 05	\$ 2,773.85	\$ 104,981.06
BELLSOUTH	1-Jul-05	919 M19-4273 273/June-05	\$ 107,024.27	
BELLSOUTH	1-Jul-05	919 M19-4273 273/June-05	\$ 473.62	\$ 107,497.89
			\$ 1,286,200.84	\$ 1,279,319.16

Grand Total	\$ 1,279,319.16
Revised Total without Project Enlightenment and BOE lines	\$ 1,260,159.16
Revised Total times 52% discount rate	\$ 655,282.76
Actual amount approved for and paid against FRN 1136056	\$ 596,955.84
Difference in what could have been received in discounts	\$ 58,326.92